

Message Text

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ACTION IO-14

INFO OCT-01 ISO-00 COME-00 L-03 AF-10 ARA-16 EA-11 EUR-25

NEA-10 RSC-01 COA-02 EB-11 OIC-04 CIAE-00 DODE-00

PM-07 H-03 INR-10 NSAE-00 NSC-10 PA-03 PRS-01 SPC-03

SS-15 USIA-15 ACDA-19 AEC-11 AGR-20 CG-00 DOTE-00

FMC-04 INT-08 JUSE-00 NSF-04 OMB-01 DRC-01 /243 W

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R 192328Z SEP 73

FM USMISSION USUN NEWYORK

TO SECSTATE WASHDC 9502

C O N F I D E N T I A L USUN 3313

E.O. 11652: GDS

TAGS: PFOR PBOR UN

SUBJ: LOS -- INVITATIONS TO LOS CONFERENCE

REFS: (A) STATE 140586; (B) USUN 2992; (C) USUN 3209;

1. WE HAVE DONE PRELIMINARY ESTIMATE OF FIRST COMMITTEE VOTING SITUATION WITH REGARD TO "ALL STATES" PROPOSAL IN LOS CONFERENCE CONTEXT. THIS IS BASED ON ASSUMPTIONS THAT (A) A PROPOSAL TO INVITE "ALL STATES" TO ATTEND THE INAUGURAL AND SUBSEQUENT SESSIONS OF THE LOS CONFERENCE IS PUT TO THE VOTE FIRST AND (B) SUBSTANTIAL BUT NOT MAXIMAL EFFORTS IN CAPITALS TO OBTAIN SUPPORT FOR A VIENNA FORMULA "STATES MEMBERS PLUS DRV" ARE UNDERTAKEN. OUR PRELIMINARY ESTIMATE (POUCHED SCULLY, IO/UNP) IS THAT 64 MEMBERS WOULD LIKELY VOTE FOR "ALL STATES". WITH UN MEMBERSHIP AT 135, THIS MEANS THAT SUCCESS IN PRESSING A VIENNA FORMULA WOULD REQUIRE THE VOTES OF ALL OTHER MEMBERS OF THE UN EXCEPT 6 WHO COULD ABSTAIN OR BE ABSENT. THIS IS NOT AN ATTAINABLE OBJECTIVE.

2. APART FROM THE COMPLICATIONS THAT AN UNSUCCESSFUL VOTING CONFRONTATION ON CONFERENCE INVITATIONS COULD HAVE ON

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US LOS INTERESTS, WE ARE CONCERNED THAT FAILURE TO CARRY

THE VOTE WOULD MAKE IT IMPOSSIBLE TO OBTAIN ANY PROTECTIONS GOVERNING THE FUTURE USE OF THE "ALL STATES" FORMULA. BEARING IN MIND THE DEPARTMENT'S CONCERNS ABOUT POSSIBLE FUTURE EFFORTS TO INCLUDE REPRESENTATIVES OF "NATIONAL LIBERATION MOVEMENTS" OR OTHER NON-STATE ENTITIES IN UN CONFERENCES UNDER THE "ALL STATES" FORMULA, WE CONCLUDE THE BETTER COURSE OF ACTION WOULD BE TO NEGOTIATE FOR A CONSENSUS THAT "ALL STATES" SHOULD BE INVITED TO THE LOS CONFERENCE ON CONDITION THAT THIS CONSENSUS BE ACCOMPANIED BY A STATEMENT FOR THE RECORD TO BE MADE ON BEHALF OF THE SECRETARY-GENERAL (OR COMMITTEE 1 AND THE GENERAL ASSEMBLY). THE STATEMENT WOULD RECORD THE UNDERSTANDING THAT, IN ACTING TO IMPLEMENT THIS PARTICIPATION FORMULA, THE SYG WOULD ENTER INTO APPROPRIATE CONSULTATIONS WITH UN MEMBERS IN THE EVENT THERE ARISES A CONTROVERSIAL CASE IN THE FUTURE OVER THE STATEHOOD OF AN ENTITY NOT A MEMBER OF THE UN OR ANY UN SPECIALIZED AGENCY WHICH SEEKS AN INVITATION FROM THE SYG TO ATTEND A PARTICULAR CONFERENCE OR TRIES TO DEPOSIT WITH THE UN A TREATY INSTRUMENT.

3. IN ADDITION TO THIS STATEMENT, WE WOULD LET BE KNOWN, AS CONTEMPLATED IN THE DEPARTMENT'S INSTRUCTION PER REF (A) THAT WE WOULD INTERPOSE NO OBJECTION TO THE SYG'S TRANSMITTING AN INVITATION TO THE DRV TO ATTEND THE LOS CONFERENCE.
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